



# EISCAT Scientific Association

Action plan to counter discrimination,  
harassment and sexual harassment



# Action plan to counter discrimination, harassment and sexual harassment

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## 1 Introduction

EISCAT Scientific Association (EISCAT) has a zero-policy against all discrimination, any form of harassment or sexual harassment in the workplace. This plan aims to inform the employees of what discrimination, harassment and sexual harassment are, where to turn if you feel that you are subjected to any of these and what measures the employer need to take to resolve the issue.

## 2 Purpose

The employer has a responsibility towards the employee to prevent ill health and accidents at work. This includes countering and following up on harassment, discrimination and sexual harassment. This is stated in the Swedish law: Arbetsmiljölagen.

### 2.1 Goal

All employees should feel good going to work, not having to worry about receiving unwanted attention or being treated in an abusive or discriminatory way.

## 3 Terms and definitions

- Discrimination
- Harassment
- Sexual harassment

### 3.1 Discrimination

Discrimination or offensive special treatment refers to actions that are perceived as offensive to the one or those exposed to them. The actions are often perceived as unfair or incomprehensible and can result in those affected being excluded from the workplace community. It doesn't have to constitute repeated behaviour to be discrimination, but can, if this is the case, develop into bullying.

- To offend means to humiliate someone or some by word or deed.
- Special action means being treated differently, e.g. not be greeted, to be ostracized or being called mean things in front of others.

If the offensive behaviour is of a sexual nature, the violations may constitute sexual harassment (which is also a form of discrimination). If the offending behaviour is related to any of the grounds of discrimination the violations may constitute harassment (which is also a form of discrimination). This means that events or behaviours can constitute both abusive discrimination and discrimination. All harassment can be physical, verbal or other behaviour.

### 3.2 Harassment and sexual harassment

#### 3.2.1 What is discriminatory harassment?

Harassment is behaviour that violates someone's dignity and that has ties with any of the discrimination grounds:

- gender.
- gender identity or expression.
- ethnic affiliation.



- religion or other belief.
- functional impairment.
- sexual orientation.
- age.

### 3.2.2 What is sexual harassment?

Sexual harassment is conduct of a sexual nature that offends someone's dignity. Sexual harassment can be both verbal, non-verbal, and physical, for example:

- text messages or images of a sexual nature.
- physical contact such as groping, gestures of a sexual nature.
- unwelcome compliments.
- passing glances.
- sexual allusions.

Sexual harassment does not have to be related to anyone specific ground of discrimination. For the acts to be considered sexual harassment, they must be unwelcome by whoever is exposed to them.

## 4 Actions to take if you feel that you are subjected to discrimination or harassment

If you feel that you are subjected to discrimination, harassment or un-wanted sexual attention at work, you should turn to your nearest manager with your complaint.

The employer, or someone in a managerial position, when they become aware that harassment or sexual harassment is alleged to have occurred in the workplace, must without delay investigate the circumstances surrounding the reported harassment and take measures to prevent continued harassment.

The employer has an investigative duty, sanctioned with damages, so-called discrimination compensation. The employer fails to investigate, despite knowledge of sexual harassment or harassment in the workplace, EISCAT is guilty of discrimination and may be held liable for damages.

The employer can be considered to have knowledge when someone in a managerial position receives information that sexual harassment or harassment is occurring. The information may have reached the employer in different ways, through information from colleagues or witnesses, that the person who feels vulnerable informs the employer or through observations, e.g. at the workplace, staff party, conference or via social media.

The employer must investigate alleged harassment or sexual harassment that has come to the employer's attention. However, the investigative responsibility depends on the person who is alleged to have been subjected to the harassment confirming that they feel exposed to unwelcome behaviour. The assessment of what constitutes harassment or sexual harassment is subjective, so it is the individual's experience that must be given importance. A passive employer can be ordered to pay discrimination compensation for late or non-existent investigation.



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If an investigation is needed, this could be conducted by someone from EISCAT Scientific Association or in case of serious social work environment problems by an independent investigator. If a crime has been committed, the matter is handed over to the police.

If the person you feel discriminates or harasses you are your manager, you need to contact the Director of EISCAT. If the person is the Director itself, you should contact a member of the EISCAT Council (Board).

### 4.1 Investigation

The investigation intends to show what has happened and to take the necessary measures to prevent it from happening in the future. When an investigation is conducted it is important that all involved are heard and that all evidence is collected. It is therefore important to save all material that relates to what you have been exposed to.

The investigation maps the following:

- the victim's perspective and experiences.
- the accused's perspective and experiences.
- witnesses' perspectives and experiences.
- independent evidence as:
  - letters,
  - e-mails,
  - text messages,
  - protocols,
  - recordings,
  - images,
  - etc.

## 5 What should the employer do with the results of the investigation?

If the employer has investigated the circumstances and concluded that there was harassment or sexual harassment, the employer must take measures to prevent the harassment from continuing. Which measures may be required depends on the situation in the individual case, e.g. the extent and nature of the harassment, what the workplace looks like and who is part of the work group.

In the first instance, it may be a matter of the harasser receiving a warning or a call to stop their behaviour. After that, there may be a question of other labour law measures such as warning, relocation, or dismissal.

The fact that a person complains that they feel exposed to harassment can, regardless of what measures the employer has to take in the individual case, be a signal that there are problems in the workplace. The employer must therefore also focus on preventive measures such as information and training of employees and managers, review of guidelines and routines, etc.

## 6 Manage the results

It is of utmost importance that the employer prevents it from happening again. The employer has to take actions and resolve the problems, to prevent employees from getting ill from the situation. The first step is to review procedures and guidelines and disseminate information about zero tolerance.



If the harassment doesn't stop after being addressed by the manager, labour law measures can be taken:

- awareness talks.
- transfer or change of duties.
- written warnings.
- therapy.

If an investigation concludes that the discrimination and/or harassments has led to the employee getting ill, the employer must report this to the Social Security Agency (Försäkringskassan).

### **7 How should the employer act to prevent discrimination, harassment and sexual harassment?**

The employer must have guidelines and routines for the business to prevent harassment, sexual harassment and reprisals. Ensuring that the guideline and routines work as they should is included as part of the ongoing work of active measures through investigation, analysis, follow-up and action.

All employees must know and have knowledge of how the organization works to prevent harassment and sexual harassment. It is also important that managers and supervisors have knowledge of how to act when they become aware of harassment or sexual harassment. The work with active measures must be documented and take place in collaboration between employer and employee.